

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

Plaintiff,

v.

Cesar ALVARADO,

Defendant

) Magistrate Docket No.

) 08 MJ 0901

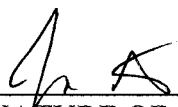
) COMPLAINT FOR VIOLATION OF:

) Title 8, U.S.C., Section 1326
) Deported Alien Found in the
) United States

The undersigned complainant, being duly sworn, states:

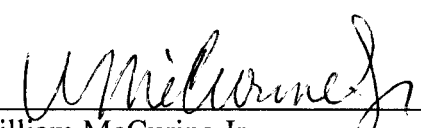
On or about **March 22, 2008** within the Southern District of California, defendant, **Cesar ALVARADO**, an alien, who previously had been excluded, deported and removed from the United States to **Mexico**, was found in the United States, without the Attorney General or his designated successor, the Secretary of the Department of Homeland Security (Title 6, United States Code, Sections 202(3) and (4), and 557), having expressly consented to the defendant's reapplication for admission into the United States; in violation of Title 8 United States Code, Section 1326.

And the complainant further states that this complaint is based on the attached statement of facts, which is incorporated herein by reference.



SIGNATURE OF COMPLAINANT
James Trombley
Senior Patrol Agent

SWORN TO BEFORE ME AND SUBSCRIBED IN MY PRESENCE, THIS **24th** DAY OF **MARCH 2008**



William McCurine Jr.
UNITED STATES MAGISTRATE JUDGE


JUSA LR

CONTINUATION OF COMPLAINT:**Cesar ALVARADO****PROBABLE CAUSE STATEMENT**

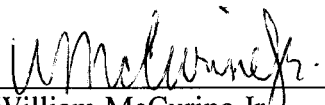
On March 22, 2008 at approximately 11:45 p.m., Border Patrol Agent M. Munoz was working his assigned line watch duties in the area of Jamul, California. Agent Munoz responded to a citizen's call of a group suspected illegal individuals walking northeast towards the 14.5 mile marker on Honey Springs Road in Jamul, California. This area is approximately 10 miles east of the Otay Mesa, California Port of Entry and approximately seven and a half miles north of the United States/Mexico international border.

While driving southeast on Honey Springs Road, Agent Munoz observed an individual running westbound across Honey Springs Road into a heavily brushed area. After a brief search, Agent Munoz found the individual hiding in the brush as well as a group of twenty-three individuals. Agent Munoz identified himself as a United States Border Patrol Agent then questioned the individuals as to their country of citizenship. All twenty-three individuals including one individual later identified as the defendant **Cesar ALVARADO**, admitted to being citizens and nationals of Mexico without any legal immigration documents that would allow them to be in the United States legally. Agent Munoz arrested all twenty-four individuals and arranged for them to be transported to the Brown Field Border Patrol Station for processing.

Routine record checks of the defendant revealed a criminal and immigration history. The defendant's record was determined by a comparison of his criminal record and the defendant's current fingerprint card. Official immigration records of the Department of Homeland Security revealed the defendant was previously deported to **Mexico** on or about **March 6, 2008**. These same records show that the defendant has not applied for permission from the Attorney General of the United States or his designated successor, the Secretary of the Department of Homeland Security, to return to the United States after being removed.



James Trombley
Senior Patrol Agent



William McCurine Jr.
U.S. Magistrate Judge

3/24/08 1004hrs
Date/Time